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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/618,859 | 07/14/2003 | Jerome Azema | TI-34919 | 6980 |
| 23494 7590 04/08/2009 TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265 | | | | |
| EXAMINER | | | | |
| LIPMAN, JACOB | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2434 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 04/08/2009 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com

Office Action Summary

Application No.

10/618,859

Applicant(s)

AZEMA ET AL.

Examiner

JACOB LIPMAN

Art Unit

2434

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 14-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 14-21, are rejected under 35 U.S.C. 102(b) as being anticipated by Helmut et al., in EP 0843,249.

With regard to claims 14, Helmut discloses a computing device including a processing system (page 3 lines 5-8, page 11 lines 43-44), an externally-accessible memory coupled to the processing system (page 11 lines 46-48), an electronic file stored in the externally-accessible memory (page 12 lines 36-39), a digital certificate generated by a manufacturer (ADA, page 5 lines 12-14) containing information uniquely associating the electronic file (application) and a unique identifier (unique COS level, page 5 lines 23-29) linked to the computing device (page 5 lines 19-22, page 4 lines 42-49), and wherein the processing system determines whether there is a valid association between a current state of the electronic file and the identifier prior to accessing the electronic file (page 13 line 55-page 14 line 11, page 5 lines 26-29).

With regard to claim 15, Helmut discloses the digital certificate stores a software signature derived from an initial state of the electronic file (page 14 lines 9-11).

With regard to claims 16-20, Helmut discloses the software signature comprises a hash of the initial state of the electronic file, encrypted responsive to the identifier (page 13 lines 46-51).

With regard to claim 21, Helmut discloses the digital certificate further includes information associating the electronic file with an application program (page 8 lines 33-49).

3. Claims 1-11, are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al., USPN 6,389,537.

With regard to claim 1, Davis discloses a computing device including a processing system (column 2 lines 3-4), an externally-accessible memory coupled to the processing system (column 4 lines 49-51), an electronic file stored in the externally-accessible memory (column 12 lines 36-39), an identifier associated with the computer device (column 4 lines 24-33) stored in a memory that is not externally accessible (column 4 lines 33-37), a digital certificate generated by a manufacturer (column 5 lines 10-20) containing information uniquely associating the electronic file and a unique identifier (column 5 lines 14-15), and wherein the processing system determines whether there is a valid association between a current state of the electronic file and the identifier prior to accessing the electronic file (column 13 line 55-page 14 line 11, column 6 lines 1-17).

With regard to claims 2-4, Davis discloses the certificate stores a digital signature of the initial state by hashing it (column 5 lines 10-20, 50-56).

With regard to claim 5, Davis discloses the hash is encrypted (column 5 lines 50-56).

With regard to claims 6, 7, 10, and 11, Davis discloses the TEA is an executable data file (column 4 lines 37-42)

With regard to claims 8 and 9, Davis discloses the file includes an identifier of the computer (column 5 lines 32-36).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACOB LIPMAN whose telephone number is (571)272-3837. The examiner can normally be reached on M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Jacob Lipman/
Examiner, Art Unit 2434